

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
v.	)	1:12-CR-116-WTL-MJD
	)	
MARK A. OSBORN,	)	
Defendant.	)	

**DEFENDANT'S MOTION TO CONTINUE TRIAL DATE**

Defendant Mark A. Osborn, by counsel Michael J. Donahoe, respectfully moves the Court to continue the trial date presently set in this case, and in support states:

1. Defendant was charged in an Indictment on July 24, 2012, in violation of 18 U.S.C. § 1028 (a)(6)and (b)(1)(A).
2. Trial is scheduled to commence on September 24, 2012.
3. Additional time is needed to investigate the case, properly prepare for trial, or adequately explore the possibility of resolution by plea agreement.
4. Counsel for Mr. Osborn has a trial scheduled to begin on September 24, 2012, in *United States v. Michael Lee Sparks*, 1:12-CR-28-01-JMS-TAB.
5. Assistant U.S. Attorney Doris Pryor has advised undersigned counsel that she has no objection to the continuance sought herein.
6. Mr. Osborn is on pretrial release and counsel was unable to reach him to discuss the continuance sought herein.

7. The ends of justice served by the continuance sought herein outweigh the best interests of the public and Defendant to a speedy trial. Thus the delay in the trial date attributable to this request for continuance is excludable under 18 U.S.C. § 3161 et seq.

**WHEREFORE**, Defendant Mark A. Osborn requests that the present trial date of September 24, 2012, be vacated, and that this case be reset for trial in no less than 45 days.

Respectfully submitted,

*s/Michael J. Donahoe*  
Michael J. Donahoe  
Indiana Federal Community Defenders, Inc.  
111 Monument Circle, Suite 752  
Indianapolis, IN 46204  
317-383-3520

**CERTIFICATE OF SERVICE**

I certify a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Doris Pryor, Doris.Pryor@usdoj.gov

*s/Michael J. Donahoe*  
Michael J. Donahoe